

## **EAST PALESTINE VILLAGE COUNCIL-FEBRUARY 25, 2013- COMMUNITY CENTER 7PM**

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Figley, Mr. Tyger and Mrs. Wisser. Law Director Shirley Smith was not present due to a family emergency. The minutes from the February 11 meeting of the Safety/Park/Rec/Cemetery and the regular meeting minutes were approved on a motion from Mr. Elzer, seconded by Mr. Cohen. There were no monthly department reports.

**AGENDA: DAVE KIBLER-COMMUNITY CENTER RENTAL FEES.** Mr. Kibler stated that at the Jan 14 meeting Council discussed the need to create more revenue and then at the Feb 11 meeting there was a vote to remove rental fees at the Community Center. He stated that action would result in a \$2000 loss in revenue. He asked who suggested the vote. Mr. Cohen stated that he believes a mistake was made two weeks ago; the action was void because it could not be done by way of a motion. The fee schedule was passed as an ordinance and has to be amended or revised by ordinance. At this point Mr. Elzer made a motion for legislation to amend the Community Center fees, seconded by Atty. Beagle. Mr. Elzer stated he was the person who brought that up at the last meeting and the \$2000 is the amount brought in and he didn't believe that number would be greatly affected because the organizations being discussed don't currently use the facility. Finance Director Traci Thompson stated that the \$2000 figure is from the receipts from 2012 for non profits who rented the facility. Elzer stated the point of the Community Center is not to be a rental property for the Village. The non profits in town help each other, The Lions Club uses Thresholds facility, the Chamber uses the Masons building, Rotary uses Presb. Church, Farmers Market uses the Methodist Church, the Boy Scouts uses the Church of Christ, the Library opens up to non profits and the reason they do it is because we are all working together for a common goal. It makes no sense for the best facility we have to not be available to those people. Mayor Zuch stated that Rotary started the Community Center project but was completed by 3 men who worked with donations and free labor. Elzer stated that is correct but it was done to make it a "Community Center" and Mayor Zuch stated she believed it was always meant to be rented out. Elzer stated he doesn't have a problem with it being rented to individuals but the Village should not stand in the way of it being used by non profits that benefit the Village. He stated there was a meeting there last Monday to benefit the City and for that to have cost money is ridiculous. Thompson stated it would not have cost anything on Monday and Elzer said if it was an evening or weekend it would have. The Chamber had to combine with the Village in order to not pay for the center to have a meet and greet for the new police chief. Mr. Cohen stated that there is no charge for the center during the day Mon thru Thur for non profits. Mr. Cohen stated that many people have wanted to discuss this with them and that it has created a lot of controversy. He stated a resident told him that they just passed the Park Levy and are paying taxes to support the park and now you are going to give it to people for free. Mr. Elzer asked if they said anything about EPYSA putting \$30,000 into the ball fields and they have to pay to use the center as did the Garden Club spending \$8000 for Christmas Decorations. Atty. Beagle stated he is comparing apples and oranges. She thanked EPYSA for doing that but this was built as a community center and community doesn't mean free. It should be rented whenever possible, we need the money. Mr. Figley asked if we would really lose \$2000 from non profits who rent the facility. Finance Director Traci Thompson stated that last year there was \$2000 brought in from non profits renting the facility. Mr. Figley stated he would like to see the list. Thompson stated it was Rotary, Threshold, Headstart, Senior Class, Boy Scouts, Football Mothers, Ozer Ministries, Our Lady of Lourdes, Historical Society, The Football and Volleyball teams all rented last year. Mr. Elzer stated this (community center) is the biggest meeting facility here and also our biggest asset. Mr. Figley asked what it would hurt for non profits to pay. He said that Village Manager Monteleone pointed out how important \$2000 really is, when you are making efforts to bring in \$2000 or \$4000 wherever possible. Mr. Elzer said he feels that the Village isn't a part of anything moving forward toward the common goal. Mr. Cohen said that's not true, but we need to move forward as Village and if we don't charge rent we will lose money. Mr. Cohen stated that he has not talked to a single person who believes the actions at the last meeting were the right thing to do. Mr. Wisser stated that Rotary was pleased, that when they had Friday night at the movies for the community, they had to pay for the Gazebo. Mr. Figley stated he didn't want to vote on anything until it is discussed further. Mayor Zuch stated that as long as the previous ordinance is still in effect, people can't use the building at no charge. Mr. Cohen then stated that section 4.11 of the charter states that no ordinance or resolution shall be revised unless new legislation is created to repeal previous legislation. Mayor Zuch stated that Mr. Elzer's earlier motion was withdrawn until new legislation is drawn up.

**LISA HAMNER-RECYCLING - Ms.** Hamner stated the response from the school students for artwork for the new recycling bins was overwhelming. They picked the top 3. One for the bins, one for t-shirts, and one will go on the literature for the program. At this point Ms. Hamner presented a plaque, their framed artwork and

\$50 to each of the top 3 students for their artwork, and those were Andrew Watkins 8<sup>th</sup> grade, Maddee Foster, and Natalie Hamner both in the 6<sup>th</sup> grade.

**CLERK-** Clerk Misti Martin announced there would be a Street Committee meeting on Friday March 8 at 10 am at the Park Community Center.

**MAYOR:** Mayor Margo Zuch stated she received a letter from the Mayors Secretary in Wellsville Ohio in reference to a young woman who died after a very long wait for a liver transplant. They passed a resolution approving March 23 as Organ Donation Awareness Day in honor of Chelsea Lingenfelter and they wanted to know if we would assist them by having a place where people could sign up to be organ donors. Fire Chief Todd said we could use the big room at the Fire Station on Clark St. They would send people to help. Mr. Tyger made a motion to participate in the Organ Donation Awareness day on March 23, seconded by Mr. Elzer. All in favor, motion carried. Mayor Zuch stated she would take care of the details. Mayor Zuch then stated that the Centenary United Methodist Church hosts a senior program and on March 11 from 11:30 to 1 they will have a program to inform them about fraud and identity theft and you must call the church to sign up. She stated that she received a phone from someone who is going to take over DOG Days this year. They asked to not reveal who it is until it goes through the school board. Last, Mayor Zuch stated she received a notice from Nick Barborack about a town hall meeting Sat March 2 at 10 am at Columbiana Public Library with no reservations needed. It is an informational meeting for all constituents. Village Manager Monteleone was not present at the meeting as he was on a mission trip, but he did give council a written report. Law Director Shirley Smith was not present due to a family emergency.

**STREET:** Mr. Figley had no report, but reminded everyone of the Street Committee report on March 8 to finalize the plan for paving/chipping and sealing for 2013.

**SAFETY/PARK/REC/CEM:** Mr. Cohen apologized if anyone thought there was a committee meeting before the meeting tonight. There will be a committee meeting soon, but feels that Dot Herbert should be there and she is out of the country. It will either be the last meeting in March or before the first meeting in April. Atty. Beagle stated that Chief Dickey has been educating her about the drug problem and she also attended the County Commissioners meeting and they were discussing the ongoing drug problem. She said there is a lot being done to combat that problem along with educating the school system, but each of us has an obligation to our community to do what we can do to help. She said if people have concerns or questions to call the Police Chief. At this point Kerri Stewart in the audience said the Crime Watch meets every third Tuesday and very few attend. Atty. Beagle said there is a Crime Watch and Police force but every one of us has a part we can play in our homes and neighborhoods. People don't realize how bad the drug problems are and we need to help take care of each other. Mr. Elzer stated that our drug arrests were up by 560% last year. Commissioner meetings are county wide and they look at a lot of communities and she received a lot of compliments about East Palestine that it is a nice little town, and she wants to keep it that way.

**DEVELOPMENT:** Mr. Elzer stated that all of the contracts are signed and there will be another meeting soon about the Street Fair. He stated he is very protective of this town and at the last meeting someone said this is a "dying town". In the last 18 months we have changed the Superintendent, all 3 principles, Mayor, Village Manager, 2/3 of council, and the Police Chief. We have paved 13 roads and chipped 12. The FD has a new pumper truck, we have 8 new businesses, new baseball fields, cameras at the park, volunteers re did the playground, and we got a drug dog. Juvenile instances were 22%, a new police car, replacing a 100 year old water tank, the Manager implemented a program for cleaning the down town, and last week there was a meeting were 10 new businesses want to move here or expand. He stated he doesn't see that as a dying town. Mr. Cohen stated he was at the meeting Mr. Elzer mentioned and it was a very productive meeting. Atty. Beagle when those businesses would come to fruition and Mr. Elzer said they are all in different stages. Atty. Beagle said she is big on accountability, but she doesn't want to be in the same place like the gas leases this time next year. Mr. Elzer said from a development stand point they don't open or close businesses, the try to create an atmosphere were businesses can thrive.

**UTILITY:** Mrs. Wisser asked John Jurjavcic to go over a letter that was received from the OEPA. He stated the EPA did a site evaluation and in March 2011 there were some problems with the system and council decided to have MS Consultants do an evaluation. In Oct 2011 they finished and in Dec 2011 they gave their recommendations. By the Cities wastewater permit, they have to have the recommendations in place by the end of June 2016. It got pushed back due to problems and other projects. Jurjavcic stated he is going to meet with Dante Fiorino from MS Consultants next week to come up with a comprehensive plan. The letter stated there was a minor phosphorus violation but it was not a big deal. The letter also stated the stream survey

could not be completed because it was dry. Mr. .Elzer stated the first paragraph of the letter was complimentary of him and his staff and stated that everything is operating properly and that they do a good job maintaining the treatment facility. Mr.Figley asked about the EQ tank and if that had to be done by 2016 and Jurjavcic said it did. Jurjavcic said there were 3 recommendations; one was a pilot study that tries to stress the plant and see what it can handle. Jurjavcic said that looking back to the 90’s Floyd Brown and Associates recommended a 3 million gallon EQ tank. Mr. Figley asked Jurjavcic if we need an EQ tank that would cost millions of dollars. Mr, Figley asked Jurjavcic to tell everyone how many incidents we have had that would require an EQ tank. Jurjavcic said since March 2011 there have been 2. Mr. Figley stated that those were from heavy rain and snow melt and two or three houses were affected. Jurjavcic said MS is recommending a 750,000 gallon tank. Mrs. Wisser asked if there was an alternative, Jurjavcic said there is the pilot study that will be costly, and it would bypass the plant and go to the aeration tanks. Mr. Elzer asked how big the clarifier is that he wants the cover on. Jurjavcic said it’s not the whole clarifier it’s the trough around it and said that is 60 ft in diameter. Mrs. Wisser asked if an EQ tank would eliminate those few houses from flooding and Jurjavcic said yes. Mr. Figley asked again if it was needed and Jurjavcic said sometimes yes and sometimes no, that they have gone over five million gallons in the past. Mr. Figley stated the the houses that flood are the ones who have not put in the backflow preventer.

**FINANCE: NO REPORT.**

**VISITORS:** Dave Kibler, Chuck Treece, Dan Scott, Chuck McGuire, Dave Biggins, John & Bonnie Davis, Carol Cope, Lisa & John Hamner, Natalie Hamner, Chief Kevin Dickey, Jerry Coblentz, Scott Wolfe, Jim Mackall, Dianna Elzer, Betty Reeves, Kip Reeves, Patti Bosley, John Bosley, Tami & Bob Harris, Travis Foster, Madee Foster, Karen Foster, John Jurjavcic, Pam Figley, Nelson Freeze, Katie Schwendeman, Amanda Gunnoe, Jakob Watkins, Leigha Freeze, Josh Watkins, Kerri Stewart, and Emery Coon.

At this point Mayor Zuch gave a brief over view of tonight’s legislation.

**THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION.**

**LEGISLATION:** Atty. Beagle introduced **Ord. 6-2013** for a second reading, seconded by Mr. Cohen, all in favor. **An ordinance accepting the annexation of 9.312 acres known as the “Brittain Motors Annexation”.** Atty. Beagle introduced **Ord. 7-2013** for a first reading, seconded by Mr. Cohen, all in favor. **An ordinance authorizing the Municipal Manager to advertise, interview and hire an aquatic director, with council further fixing the rate of compensation and hours of work, pursuant to section 3.08 (d) of the Charter of the Municipality of East Palestine.** Atty. Beagle introduced **Res. 3-2013** and made a motion that it be read by title only, seconded by Mr. Elzer all in favor. **A resolution accepting monies from the Columbiana County Board of Commissioners to e used exclusively for wages and related benefits to permit the Village Police Department to assign an officer to the Columbiana county Drug Task Force.** Atty. Beagle called for a vote on **Res. 3-2013.** Atty. Beagle-yes, Mr. Elzer-y, Mr. Figley-y, Mr. Cohen-y, Mr. Tyger-y and Mrs. Wisser-y. Six yes to pass.

**ADJOURN:** Mr. Cohen made a motion to adjourn, seconded by Mrs. Wisser. All in favor, meeting adjourned.

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MAYOR MARGO ZUCH

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MISTI J. MARTIN CLERK